EXECUTIVE SUMMARY - ENFORCEMENT MATTER

Page 1 of 2

DOCKET NO.: 2007-0333-PWS-E **TCEQ ID:** RN102038924 **CASE NO.:** 32822

RESPONDENT NAME: Mohammad Amin dba ZP Mart

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ORDER TYPE:				
X_1660 AGREED ORDER	FINDINGS AGREED ORDER	FINDINGS ORDER FOLLOWING SOAH HEARING		
FINDINGS DEFAULT ORDER	SHUTDOWN ORDER	IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER		
AMENDED ORDER	EMERGENCY ORDER			
CASE TYPE:				
AIR	MULTI-MEDIA (check all that apply)	INDUSTRIAL AND HAZARDOUS WASTE		
X_PUBLIC WATER SUPPLY	PETROLEUM STORAGE TANKS	OCCUPATIONAL CERTIFICATION		
WATER QUALITY	SEWAGE SLUDGE	UNDERGROUND INJECTION CONTROL		
MUNICIPAL SOLID WASTE	RADIOACTIVE WASTE	DRY CLEANER REGISTRATION		
TYPE OF OPERATION: Convenience sto SMALL BUSINESS: _X_Yes OTHER SIGNIFICANT MATTERS: Therefacility location. INTERESTED PARTIES: No one other the COMMENTS RECEIVED: The Texas Region Contacts and Mailing List: TCEQ Attorney/SEP Coordinator TCEQ Enforcement Coordinator 239-1482; Mr. Bryan Sinclair, Enforcement: Mr. Mohammad Am.	There is no record of additional and the ED and the Respondent has expressed an interister comment period expired on September 17, 200	rest in this matter. 7. No comments were received. ision, Enforcement Team 2, MC 169, (512)		

DOCKET NO.: 2007-0333-PWS-E

VIOLATION SUMMARY CHART: VIOLATION INFORMATION PENALTY CONSIDERATIONS CORRECTIVE ACTIONS TAKEN/REQUIRED Type of Investigation: Total Assessed: \$825 Corrective Actions Taken: Complaint 1) The Executive Director recognizes that X Routine **Total Deferred: \$165** Enforcement Follow-up the Respondent has implemented the X Expedited Settlement Records Review following corrective measures at the __Financial Inability to Pay Facility: Date(s) of Complaints Relating to this Case: None a. Submitted weekly disinfection residual **SEP Conditional Offset: \$0** data for January and February 2007 on Date of Investigation Relating to this March 1, 2007; Total Paid to General Revenue: \$660 Case: December 6, 2006 Site Compliance History Classification b. Submitted photos verifying that a lock was placed on the well house surrounding Date of NOE Relating to this Case: High X Average Poor February 7, 2007 (NOE) the well on April 18, 2007; and Person Compliance History Classification c. Submitted an up-to-date chemical and Background Facts: This was a routine __ High _X_ Average __ Poor investigation. Five violations were microbiological monitoring plan on April 18, 2007. A documented. Major Source: ___ Yes _X_ No Ordering Provisions: WATER. Applicable Penalty Policy: September 2002 1) Failure to monitor the disinfectant 2) The Order will require the Respondent to: residual at representative locations in the distribution system at least once every a. Within 60 days after the effective date of seven days [30 Tex. ADMIN. CODE § this Agreed Order: 290.110(c)(5)(A)]. i. Acquire and maintain copies of the well 2) Failure to protect completed well units completion data for the groundwater well with intruder-resistant fences with locked as long as this well remains in service; and gates or enclosed in locked ventilated well houses. Specifically, the well house was ii. Submit Facility as-built plans, not secured with a lock [30 Tex. ADMIN. specifications, and engineering reports, CODE § 290.41(c)(3)(O)]. including notification of Facility start-up to the Commission. 3) Failure to submit water system plans and specifications prepared by a licensed, b. Within 75 days after the effective date professional engineer to the Commission of this Agreed Order, submit written for review and approval [30 TEX. ADMIN. certification and include detailed CODE § 290.39(e)(1)]. supporting documentation including photographs, receipts, and/or other records 4) Failure to maintain copies of well to demonstrate compliance with Ordering completion data on file for as long as the Provisions a.i. and a.ii. well remains in service [30 TEX. ADMIN. CODE § 290.46(n)(3)]. 5) Failure to develop an up-to-date chemical and microbiological monitoring plan [30 Tex. ADMIN. CODE § 290.121(a)].

Policy Revision 2 (Sept	Penalty Calculatio	n Worksheet (P	•	rision January 9, 2007
TCEQ			-	
DATES Assigned PCW	20-Feb-2007 14-May-2007 Screening 28-Feb-2007	EPA Due		
RESPONDENT/FACILITY	INFORMATION			
	Mohammad Amin dba ZP Mart			
Reg. Ent. Ref. No.	RN102038924			
Facility/Site Region	12-Houston	Major/Minor Source	Minor	
CASE INFORMATION				
Enf./Case ID No.	32822	No. of Violations	5	
	2007-0333-PWS-E	Order Type		······································
	Public Water Supply	Enf. Coordinator		
Multi-Media			EnforcementTeam	2
Admin. Penalty \$ L		\$1,000		
	Penalty Calcula	ation Section		
TOTAL BASE PENAL	.TY (Sum of violation base penaltic		Subtotal 1	\$650
ADJUSTMENTS (+/-)	TO SUBTOTAL 1 ned by multiplying the Total Base Penalty (Subtotal 1) by	v the indicated percentage		
Compliance Histo			otals 2, 3, & 7	\$175
Compilation rist	The penalty enhancement is due to one]	· · · · · · · · · · · · · · · · · · ·
	containing violations that are the same as			
Notes	the current enforcement action, one No		1	
140162	violations, and one prior administrative o	-		
	liability.			
			<u> </u>	
Culpability	No 0%	n Enhancement	Subtotal 4	\$0
A.I	The Deependent does not reset th	o gulpobility oritoria	`	
Notes	The Respondent does not meet th	e curpability criteria.		
Good Faith Effor		Peper and the Park Congress of the Mark and a contract of the Section 1999 of the Congress of	Subtotal 5	\$0
	Before NOV NOV to EDPRP/Settlement Offer			
Extraordinary				
Ordinary N/A	X (mark with x)			
IN/A			1	
Notes	The Respondent does not meet th	e good faith criteria.		
	La company of the com	and the second of the second o	⊒ This go <u>a</u> te yn ac entene r	
		Enhancement*	Subtotal 6	. \$0
Δnnrov	Total EB Amounts \$91 *Cappe Cost of Compliance \$2,000	d at the Total EB \$ Amount		
Арргох.	Social Compliance \$2,000			
SUM OF SUBTOTAL	S 1-7		Final Subtotal	\$825
COM OF GODIOTAL	 * * * * * * * * * * * * * * * * * * *	ante Villari		
OTHER FACTORS A	S JUSTICE MAY REQUIRE		Adjustment	\$0
	Subtotal by the indicated percentage. (Enter number on	ly; e.g30 for -30%.)		
· Continue			7	
Notes				
		Final Pe	nalty Amount	\$825
•			en e	······································
STATUTORY LIMIT A	ADJUSTMENT	Final Ass	essed Penalty	\$825
			ey nyaya wana wan	
DEFERRAL		20% Reduction	Adjustment	-\$165
Reduces the Final Assessed Per	nalty by the indicted percentage. (Enter number only; e.	.g. 20 for 20% reduction.)	7	
Notes	Deferral offered for expedite	ed settlement.		
110.00	The second secon		1	

PAYABLE PENALTY

\$660

Docket No. 2007-0333-PWS-E

PCW

Policy Revision 2 (September 2002) PCW Revision January 9, 2007

Respondent Mohammad Amin dba ZP Mart

Case ID No. 32822

Reg. Ent. Reference No. RN102038924

Media [Statute] Public Water Supply

Enf. Coordinator Anita Keese

Compliance History Worksheet

	NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	1	5%
		Other written NOVs	1	2%
		Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	1 4 4 mare	20%
	Orders	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission) 4986 (d. 1.11.1 (d. 1.11.11)	0%
	Judgments	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	¥*; 1 0 4*, 411	0%
	and Consent Decrees	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	Aibana com na (0)	0%
Ľ	Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
	Emissions	Chronic excessive emissions events (number of events)	0	0%
	Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0 0	0%
		Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	. 0	0%
-		Piea:	se Enter Yes or No	
:		Environmental management systems in place for one year or more	No	0%
	Other	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No No	0%
	0.1101	Participation in a voluntary pollution reduction program	No	0%
		Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%
		Adjustment P	ercentage (S	ubtotal 2)
peat	Violator (Su	btotal 3)		
F	No	Adjustment P	ercentage (S	ubtotal 3)
∟ mpli	فالأبيان ليرين كيسة كسيد سيد	/ Person Classification (Subtotal 7)		· -
	Average P	erformer Adjustment P	ercentage (S	ubtotal 7)
mpli	iance History			
	Compliance History Notes	The penalty enhancement is due to one Notice of Violation (NOV) containing violations that a or similar to the violations in the current enforcement action, one NOV containing dissimilar one prior administrative order containing a denial of liability.		
		Total Adjustment Percentage		_

Screening Date	e 28-Feb-2007	Dock	k et No. 2007-0333-F	PWS-E	PCW
Responden	it Mohammad Amin di	oa ZP Mart		Policy Rev	ísian 2 (September 2002)
Case ID No				PCW	Revision January 9, 2007
Reg. Ent. Reference No					75.000.000
· -	Public Water Supply	•			00000000000000000000000000000000000000
Enf. Coordinato Violation Numbe					V. A. (A. (A. (A. (A. (A. (A. (A. (A. (A.
					20///
Rule Cite(s	5)	30 Tex. Admin. Code	§ 290.110(c)(5)(A)		WHEN THE PROPERTY OF THE PROPE
Violation Descriptio	Failed to monitor th	e disinfectant residual at system at least once		ns in the distribution	
	L	2		Base Penalty	\$1,000
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OR Releas		erate Minor			ment control de la control de
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				Lane	\$250
				. L	ΨΖΟ
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		or compliance, January	0, 2007.		AC s.
Economic Benefit (EB) for			NOSC - 1000 - 1000 1000 1000 1000 1000 1000 1000 1000 1000 1000 1000 1000 1000 1000	Limit Test	
Estima	ted EB Amount	\$17	Violatio	n Final Penalty Total	\$317
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Media Public Water Supply			nin dba ZP Mart					
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Notes for DELAYED costs	,	1.1		ing a second relation				
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Other (as needed) Notes for DELAYED costs There are no delayed costs associated with this violation. Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed) The estimated cost to conduct weekly monitoring of the chlorine residual, calculated from the date of the								
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sion 2 (September 2002	Policy Rev	a ZP Mart	: Mohammad Amin dba	Respondent	
Revision January 9, 200	PCW			Case ID No.	
		•		. Ent. Reference No.	Reg.
			Public Water Supply	· ·	
			{ parameter	Enf. Coordinator	
				Violation Number Rule Cite(s)	
	290.41(c)(3)(O)	30 Tex. Admin. Code § 29		Rule Cite(s)	
	er-resistant fences with locked gates or cifically, the well house was not secured c.			Violation Description	•
\$1,00	Base Penalty				
				onmental, Property a	> Enviro
	•		Har Major Mode	Release	echtors un bes
				Actual	OR
	Percent 10%			Potential	
	S (20,20) (1000)		CAMADAM TA STANDA STAND		
•				ammatic Matrix	>>Prograi
,	Percent 0%	erate Minor	Major Mode	Falsification	escoloria delletti
	reident 0%	11	11 11	11	
	ne customers of the water system to a	trespassers could expose the	protect well units from	Matrix Failure to	
	ne customers of the water system to a is that are protective of human health. Adjustment \$900	trespassers could expose the which would not exceed levels	protect well units from amount of pollutants v	Matrix Notes Failure to provide the significant	
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Reg. Ent. Reference No.	:RN102038924						
	Public Water S	upply			e de la companya de La companya de la co	Percent Interest	Years of Depreciation
e e e e e e e e e e e e e e e e e e e	Market Brook Sales				The Paliting of the	5.0	18
cut have matthe to the	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Equipment				0.0	\$0	\$0	\$0
Buildings	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	ESSENCE CONTRACTOR	Value and Albert	0.0	\$0	\$0	\$0
Other (as needed)	\$100	6-Dec-2006	18-Apr-2007	0.4	\$0	\$2	\$3
Engineering/construction			Data da	0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal		nger i en ing disibility Park i en parker	principal description of the	0,0	\$0	n/a	\$0
Permit Costs		II II					
				0.0	\$0	n/a	\$0
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Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	ANN	UALIZE [1] avoide	of costs before e	0.0 0.0	item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a cone-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 tion to the date sosts) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$

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Servironmental, Property and Human Health Matrix Harm Notes Number of Violation Events Number of Violation Events Number of Violation Events Number of Violation Events Notes Number of Violation Events Number of Violatio	Scre	ening Date 2	28-Feb-2007	***************************************		Oocket No.	. 2007-0333-	PWS-E			PCW
Reg. Ent. Reference No. RN120238924 Media (Statute) Public Water Supply Enf. Coordinator Antia Keess Violation Number 3 Rule Cite(s) 30 Tex. Admin. Code § 290.39(e)(1) Falled to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Falled to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Falled to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Falled to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Falled to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Falled to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Falled to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Falled to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Falled to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Falled to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Falled to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Falled to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Falled to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and app	R	Respondent i	√ohammad Am	nin dba ZP N	1art				Policy Re	vision 2 (Sept	lember 2002)
Media (Statute) Public Water Supply									PCN	' Revision Jar	uary 9, 2007.
Ent. Coordinator Anla Keese Violation Number 3 Rule Cite(s) So Tex. Admin. Code § 290.39(e)(1)											
Violation Number 3 30 Tex. Admin. Code § 290.39(e)(1) Violation Description Failed to submit water system plane and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Base Penalty \$1,000 Selection Statutory Limit Test Stimulation Statutory Limit Test Stimulation Statutory Limit Test Stimulation Stim				upply							
Violation Description Failed to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Pailed to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Sase Penalty \$1,000			Anita Keese								
Violation Description Failed to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval. Base Penalty \$1,000 **Environmental, Property, and Human Health Matrix Hard Moderate Minor OR Actual Potential Percent 0% **Programmatic Matrix Falsification Major Moderate Minor Falsification Major Moderate Minor Percent 10% **Adjustment \$500 **Stock Matrix Notes 100% of the rule requirements was not met. **Violation Events Number of Violation Events 1 84 Number of violation days **Violation Events Violation Base Penalty S100 **One single event is recommended. **Economic Benefit (EB) for this violation Estimated EB Amount \$45 Violation Final Penalty Total \$12	Viol	15	3								
Percent 10% Service and approval. Base Penalty \$1,000 Service and Approval. Service and Ap		Rule Cite(s)		3	0 Tex. Admin.	Code § 290	.39(e)(1)			•	
Servironmental, Property and Human Health Matrix Harm Release Major Moderate Minor Actual Potential Potential Percent 0% Service Matrix Falsification Major Moderate Minor Adjustment 10% Matrix Notes 100% of the rule requirements was not met. Wiolation Events Number of Violation Events 1 84 Number of violation days With an x amark only one with an x semiannual single event x One single event is recommended. Economic Benefit (EB) for this violation Estimated EB Amount \$45 Violation Final Penalty Total \$12	Violatio	on Description							sed,		
Number of Violation Events		b		-				Base	Penalty[\$1,000
Number of Violation Events	>> Environmenta	I. Property a	nd Human F	lealth Mat	rix						
Potential Potential Percent 0% >> Programmatic Matrix Falsification Major Moderate Minor Falsification X Percent 10% Matrix Notes 100% of the rule requirements was not met. Adjustment S900	n Medical Color Color		1. 24. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1.			. 2435. Januari 15 ve 17 15 ve			. ,		
Programmatic Matrix Falsification Major Moderate Minor Falsification Major Moderate Minor Falsification Major Moderate Minor Falsification Major Moderate Minor Fercent 10% Matrix Notes Adjustment \$900 Violation Events Number of Violation Events 1 84 Number of violation days daily monthly with an x annual single event x One single event is recommended. Economic Benefit (EB) for this violation Estimated EB Amount \$45 Violation Final Penalty Total \$12	Petroscurer	r=	Major	Moderate	Minor	ī					
Falsification Major Moderate Minor Matrix Notes	OR	焦					Percent	0%			ř
Falsification Major Moderate Minor Matrix Notes	ele de la companyant de l La companyant de la compa						·				2
X	>>Programmauc		Maior	Moderate	Minor		Ø				
Matrix Notes 100% of the rule requirements was not met. Adjustment \$900 \$100 Violation Events Number of Violation Events 1		T aisincation		Moderate	TWINTON	1	Percent	10%			
Notes Adjustment S900 \$100		<u>L</u>				ī		i			
Notes Adjustment S900 \$100	Market State of State										
Violation Events Number of Violation Events 1	256-5100-300-6 (2861)			100% of the	rule requirem	nents was no	t met.				
Violation Events Number of Violation Events 1 84 Number of violation days daily monthly quarterly semiannual annual single event x One single event is recommended. Economic Benefit (EB) for this violation Estimated EB Amount \$45 Violation Final Penalty Total \$12	110.00 110.00										
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Number of Violation Events 1 84 Number of violation days Mark only one with an x Mark only one single event X Mark one single event X Mark only one single											\$100
Number of Violation Events 1 84 Number of violation days Mark only one with an x Mark only one single event X Mark one single event X Mark only one single	Sec. 2012 (1997)					4		e de la companya del companya de la companya del companya de la co			
daily monthly semiannual annual single event x One single event is recommended. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$45 Violation Final Penalty Total \$12	Violation Events	id dedicit on in a resolution securificantic i				Skipper et al.		190000000000000000000000000000000000000	adhaidh a c		
daily monthly semiannual annual single event x One single event is recommended. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$45 Violation Final Penalty Total \$12		Number of Vio	lation Events	1		84	Number of	violation day	'S		
mark only one with an x Mark only one with an x Semiannual annual single event X One single event is recommended. Conomic Benefit (EB) for this violation Statutory Limit Test		Number of vio	ation Events			L CT		violation day			
mark only one with an x Mark only one with an x Semiannual annual single event X One single event is recommended. Conomic Benefit (EB) for this violation Statutory Limit Test			daily								
Semiannual annual single event x One single event is recommended. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$45 Violation Final Penalty Total \$12											
annual single event x One single event is recommended. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$45 Violation Final Penalty Total \$12							Vi	olation Base	Penalty		\$100
One single event x One single event is recommended. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$45 Violation Final Penalty Total \$12		with an x	to the second se								
One single event is recommended. Economic Benefit (EB) for this violation Statutory Limit Test Estimated EB Amount \$45 Violation Final Penalty Total \$12											
Economic Benefit (EB) for this violation Estimated EB Amount \$45 Violation Final Penalty Total \$12			single event	X .							
Economic Benefit (EB) for this violation Estimated EB Amount \$45 Violation Final Penalty Total \$12											
Estimated EB Amount \$45 Violation Final Penalty Total \$12				One si	ngle event is r	ecommende	d.				
Estimated EB Amount \$45 Violation Final Penalty Total \$12											
Estimated EB Amount \$45 Violation Final Penalty Total \$12	Economic Benef	it (EB) for thi	s violation	ege yan		Alleren I	Statutor	y Limit Tes	st	yalo ya	73.41 × 77.00
	particular of the state of the			g:					o v volume del Delevillo, es Jerillo e 1-e		\$127
This violation Final Assessed Penalty (adjusted for limits) \$12	· Participation of the second	⊏sumated	. ED AMOUNT	***************************************	Ψ4	1	violatic	m i mai r em	arry rotal	L	
		to the second second second	et ander versetzen, whereaven	MARINE GERMANISMENT TO THE CONTROL OF THE CONTROL O	This violation	n Final Asse	ssed Penalty	y (adjusted f	or limits)		\$127

Case ID No.		nin dba ZP Mart					10
Reg. Ent. Reference No.							2
	Public Water S	tunnly			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	1 12771 - 1377 - 1377	Years of
Violation No.		ларргу			•	Percent Interest	Depreciation
Violation ivo.						5.0	1
			Line Red do			timen and the second	and the second second second
Safey Waldtleson A.	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	, EB Amount
Item Description	No commas or \$	ating the displaying property.	n vijaljak dakabbas	ua brolisa	That is		
•		医氯磺胺 美国人名	10 miles				
Delayed Costs		Committee Committee (1997)	Authorities (State Control of Control				
Equipment		3, 1999 10, 17, 1745		0.0	\$0	\$0	\$0
Buildings		F 4/28/12/12/12/14		0.0	\$0	\$0	\$0
Other (as needed)	Liverance	r Salamakadan Kalan	anticion subjects	0,0	\$0	\$0	\$0 .
Engineering/construction	- Jana Charles	and the state of the state of the state of		0.0	\$0	\$0	\$0
Land				0,0	\$0	n/a	\$0
Record Keeping System			The second second	0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs	\$1,000	6-Dec-2006	31-Oct-2007	0.9	\$45	n/a	\$45
Other (as needed) Notes for DELAYED costs		d cost to hire the se	ervices of an engir	0.0 neer to p	\$0 prepare "as-built",p	n/a	\$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal	The estimate	d cost to hire the se from the dat	ervices of an engir te of the investigat	neer to pilon to the	\$0 prepare "as-bullt",prepare "as-bullt",prepare "as-bullt",prepare date of the control of the c	n/a lans, and, specification compliance. one-time avoided of \$0	\$0 ons, calculated costs) \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel	The estimate	d cost to hire the se from the dat	ervices of an engir te of the investigat	neer to position to the content of t	so prepare "as-built", pele estimated date item (except for \$0	n/a plans, and, specification of compliance. one-time avoided of \$0 \$0	\$0 ons, calculated costs) \$0 \$0
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling	The estimate	d cost to hire the se from the dat	ervices of an engir te of the investigat	neer to position to the entering 0.0 0.0 0.0	\$0 orepare "as-built", Figure estimated date of the control of th	n/a plans, and, specificatly of compliance. one-time avoided of \$0 \$0 \$0	\$0 costs) \$0 \$0 costs) \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	The estimate	d cost to hire the se from the dat	ervices of an engir te of the investigat	0.0 neer to pion to the ntering 0.0 0.0 0.0 0.0	so repare "as-bullt" pe e estimated date item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a lans and specification compliance. one-time avoided c \$0 \$0 \$0 \$0 \$0	\$0 ons, calculated osts) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The estimate	d cost to hire the se from the dat	ervices of an engir te of the investigat	0.0 neer to pion to the entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 prepare "as-built", per estimated date item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a lans and specification compliance. one-time avoided compliance so	\$0 ons, calculated costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The estimate	d cost to hire the se from the dat	ervices of an engir te of the investigat	neer to prion to the entering 0.0	\$0 prepare "as-bullt", the estimated date litem (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a lans, and, specification compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	The estimate	d cost to hire the se from the dat	ervices of an engir te of the investigat	0.0 neer to pion to the entering 0.0 0.0 0.0 0.0 0.0 0.0 0.0	\$0 prepare "as-built", per estimated date item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a lans and specification compliance. one-time avoided compliance so	\$0 ons, calculated ossts) \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3]	The estimate	d cost to hire the se from the dat	ervices of an engir te of the investigat	neer to plon to the retering 0.0	so prepare "as-bullt", the estimated date item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a lans, and, specification compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2] ONE-TIME avoided costs [3] Other (as needed)	The estimate	d cost to hire the se from the dat	ervices of an engir te of the Investigat ed costs before e	neer to plon to the retering 0.0	so prepare "as-bullt", the estimated date item (except for \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	n/a lans, and, specification compliance. one-time avoided of \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 ons, calculatect costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0

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	Scre	ening Date	28-Feb-2007	***************************************	Do	cket No. 2	2007-0333-F	WS-E		PCW
		•	Mohammad Ami	in dba ZP Ma	rt				Policy Revisi	ion 2 (September 2002)
		Case ID No.							PCW R	evision January 9, 2007
Reg.		ference No.								
			Public Water Su	pply						
		Coordinator								
	Viol	ation Number	4							
		Rule Cite(s)		30	Tex. Admin. Co	ode § 290.4	6(n)(3)			
	Violatio	n Description	Failed to maint	ain copies of			e for as long	as the well r	emains	
		•			in se	rvice.				
		·						Base	Penalty	\$1,000
> Enviro	nmenta	l, Property a	nd Human He	ealth Matri Harm	X GARLI PART	Sept.				
1000000		Release	Major I	Moderate	Minor					
OR		Actual Potential					Percent	0%		
>>Program	nmatic			Madarata	Flant Date Control					
		Falsification	Major I	Moderate	Minor		Percent	10%		
Colfd Mills		L	<u> </u>				L			
	Matrix Notes			100% of the r	ule requiremen	ts was not r	net.			
	Marie Calculation Co.				L. Z.Lotzine	A	djustment		\$900	
			•							\$10
Violation	Events	Santa Santa Marianto de Caracteria de Caracteria de Caracteria de Caracteria de Caracteria de Caracteria de Ca Caracteria de Caracteria d	nisocialistis per alger in alegan Gran eminanai enadidella allukula	arangpenGA		graphy (data)	JEK 15 TO S	2.5 µ8500 4600 i	N. co. control	
		Number of Vio	olation Events	1		84	Number of v	iolation days	i	
				1						
			daily monthly							
		mark only one	quarterly				Vic	lation Base	Penalty	\$10
		with an x	semiannual						_ h,	
			annual							
			single event	X						
				One sing	le event is reco	ommended.				
Economi	c Benef	it (EB) for th	is violation	ARTHUR TO ARTHUR AR	en cet je zast		Statutory	Limit Tes	t	The flore production
		Estimate	d EB Amount		\$23		Violatio	n Final Pena	ity Total	\$12
				-	his violation F	inal Asses	and Damalt.	(adjusted fo	r limite\	\$12
079/2016888/15/5/2016	1907441055			II See Jacobski	ms violation F	ındı ASSES	seu renaity	(aujusteu 10	/ IIIIII(3)	ΨιΖ

	Public Water S	upply				Percent Interest	Years of
Violation No.	4			Okacija ir			Depreciation
valle est (*10.50)	a distriction	ice sistematic linear and a	er Brochtie	0.0000000000000000000000000000000000000	hillingrafin abres.	5.0	15
	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description Delayed Costs		Araps - 1	everavam brezent bredik bebelle a. se	Ministr ia Montana			
Equipment		1 100 100 100 100 100 100 100 100 100 1		0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)	Vegetica zeurak syim.	Aleksayia asil asil	A Francisco Con	0,0	\$0	\$0	\$0
Engineering/construction	in attacks to the table and the			0,0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$500	6-Dec-2006	31-Oct-2007	0.9	\$23	n/a	\$23
Training/Sampling			21.1	0.0	\$0	n/a	. \$0
Remediation/Disposal	and the second			0,0	\$0	n/a	\$0
Permit Costs		11					
	L			0.0	\$0	n/a	\$0
Other (as needed)	The estimated	cost to prepare ar	id maintain a com	0.0	\$0	n/a n/a n data documents, o	\$0
		the date o	of the investigation	0.0 plete se to the e	\$0 t of well completio estimated date of c	n/a n data documents,	\$0 calculated from

and the second of the second o

PCW	-Feb-2007 Docket No. 2007-0333-PWS-E	Screening Date 28-F	Scre
evision 2 (September 20	ohammad Amin dba ZP Mart Policy Rev	Respondent Moh	R
V Revision January 9, 20		Case ID No. 328	
		Reference No. RN	. —
		Media [Statute] Pub	
		nf. Coordinator Anit	
	5	Violation Number	Viola
	30 Tex. Admin. Code § 290.121(a)	Rule Cite(s)	
	Failed to develop an up-to-date chemical and microbiological monitoring plan.	lation Description	Violatio
\$1,0	Base Penalty	Novinous	
	d Human Health Matrix	ental, Property and	Environmental
	Harm Major Moderate Minor	Release	
	Percent 0%	Actual Potential	OR
		atic Matrix	Programmatic I
	Major Moderate Minor		The State of the S
	x Percent 10%		
	100% of the rule requirements was not met.	ll .	Matrix Notes
	Adjustment \$900		
\$		igigi kangkan juga dan 1924 dan 1920 dan 1922 dan 1924 d	ergelligible cognololis, salas de perfet subsetti e salas literatura de la come e salas e salas e salas e salas
		nts	olation Events
	tion Events 1 84 Number of violation days	Number of Violation	
	daily	#15.0 PG 20.0	
	monthly	·	
\$	quarterly Violation Base Penalty	mark only one	*
	semiannual	10g ft	
	annual	1000	
-	single event x	SII	
	One single event is recommended.		
	violation Statutory Limit Test	enefit (EB) for this	conomic Benefi
\$		Estimated E	
	EB Amount \$4 Violation Final Penalty Total	Estimated Ei	

	arr i i i i i i i i i i i i i i i i i i	conomic l	Arriandaria (n. 1902)	.,::: 5\6\7.T			
Case ID No.		iiii aba zi wait				a di sa di sa	
Rea. Ent. Reference No.						વક્કીય કે કે	
	Public Water S	unnly			and the Alberta	Major de Apresente	Years of
Violation No.		арріў			and the second	Percent Interest	Depreciation
violation no.		- DARE STREET			a picti ici kasi e mwa		
					The Miles of the	5.0	1
and a waller steel of	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Item Description	No commas or \$		Committee of the Commit		Client Name of Co.		agail en la sea
The state of the s	1	a personal programme and the second second	- in the Charles on Services or soft femore since	P 00001 UT 001 C 100 C 1	2 516. BOSTOLO (2. 711-0. 742-1)		
Delayed Costs	Mistaria (C			we r			
Equipment	TOTAL CONTRACTOR			0,0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction		1.50		0,0	\$0	\$O	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System	\$200	6-Dec-2006	18-Apr-2007	0.4	\$4	n/a	\$4
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0,0	\$0	n/a	\$0
Permit Costs Other (as needed) Notes for DELAYED costs	The estimated			0.0 o-date o	\$0 chemical and micro	n/a obiological plan, cal	\$0
Other (as needed)		da UALIZE [1] avoide 	te of the Investiga	o-date of the order of the orde	so chemical and microne date of compile item (except for \$0 \$0	n/a obiological plan, calcunce. one-time avoided of \$0 \$0 \$0 \$0	\$0 culated from the
Other (as needed) Notes for DELAYED costs Avoided Costs Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment	ANN	da UALIZE [1] avoide 	te of the Investiga	0.0 co-date of tilon to to ntering 0.0 0.0 0.0 0.0	so chemical and microhe date of complia item (except for \$0 \$0 \$0	n/a obiological plan, calculated of the state of the sta	\$0 culated from the
Other (as needed) Notes for DELAYED costs AVOIDED COSTS Disposal Personnel Inspection/Reporting/Sampling Supplies/equipment Financial Assurance [2]	ANN	da UALIZE [1] avoide 	te of the Investiga	0.0 co-date of tition to t	so chemical and microhe date of compile item (except for \$0 \$0 \$0 \$0 \$0 \$0	n/a obiological plan, calcance. one-time avoided of \$0' \$0' \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0	\$0 culated from th costs) \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$0 \$
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Compliance History

		01/00/50 4400	A 8 418 L .	4011444445		Classification: AVEDAC	Potings 46 00
	/Respondent/Owner-Operat			MOHAMMAD		Classification: AVERAG	
Regulated	d Entity:	RN102038924	ZP MA	RI		Classification: AVERAGE	Site Rating: 16.00
ID Numbe	er(s):	PETROLEUM REGISTRATIO		TANK	REGIST	FRATION	38845
		AIR NEW SOL			PERMI	T JNT NUMBER	47727 947727U
		AIR NEW SOL PUBLIC WATE				TRATION	1700725
Location:		18374 EAST H	IGHWAY 10	5, CLEVELAND, T	X, 77328	Rating Date: 9/1/2006 F	Repeat Violator: NO
TCEQ Re	gion:	REGION 12 - F	IOUSTON				
Date Con	pliance History Prepared:	February 28, 2	007				
Agency D	ecision Requiring Complian	ce History: Enforcement				•	
Complian	ce Period:	February 28, 2	002 to Febru	ary 28, 2007			
TCEQ Sta	aff Member to Contact for A	dditional Information Regardin	g this Compl	iance History			
Name:	Anita Keese		Phone:	(956) 430-6034			
		Site	Complian	ce History Com	ponents		
1. Has the	e site been in existence and	or operation for the full five ye	ar complian	ce period?	Yes		
2. Has the	ere been a (known) change	in ownership of the site during	the complia	nce period?	Yes		
3. If Yes,	who is the current owner?				AMIN, I	MOHAMMAD	
4. if Yes,	who was/were the prior ow	ner(s)?			E-ZIN	ITERNATIONAL INC.	
5. When	did the change(s) in owners	ship occur?			03/15/2	002	
Compo	nents (Multimedia) for t	the Site :					
Α.	Final Enforcement Orders	, court judgements, and conse	nt decrees o	of the state of Texa	is and the fed	deral government.	
	Effective Date: 1	2/20/2002	ADI	MINORDER 2002	-0658-PST-E	=	
		n: Moderate	ntor 27 041	5/a\fC1			
	Citation:	30 TAC Chapter 37, SubCha 30 TAC Chapter 37, SubCha	•				
	Description:	Failure to demonstrate the re	quired finan	cial assurance for	taking correc	tive action and for	
	compensati operation of	ng third parties for bodily injury USTs.	and propert	ry damage caused	by accidenta	al releases arising from the	
В.	Any criminal convictions of	of the state of Texas and the fe	deral govern	ment.			
	N/A			•			
C.	Chronic excessive emissi	ons events.					
	N/A						
D.	The approval dates of inve	estigations. (CCEDS Inv. Trac	k. No.)				
	N/A	(134236)					
	2 09/28/2004 3 08/30/2005	(334728) (381136)					
	4 02/16/2007	(532581)					
E.	Written notices of violation	ns (NOV). (CCEDS Inv. Track	No.)				
	Date: 07/21/2003	(134236)					
	Self Report? NO)		Clas	ssification:	Moderate	
	Citation: Description:	30 TAC Chapter 290, SubCh Failure to perform at least on collected from various location	ce every sev	en days, chlorine	residual test m.	on water	
	Self Report? No				ssification:	Moderate	
	Citation: Description:	30 TAC Chapter 290, SubCh Failure to possess a chlorine chlorine residual at various la maintained throughout the di	test kit whic ocations to e	h uses the DPD m nsure the proper o	ethod to dete hlorine resid	ermine the free ual is being	
	Self Report? No		oy.		ssification:	Moderate	

30 TAC Chapter 290, SubChapter D 290.43(d)(2)

Citation:

Description: Failure to provide pressure tank with a pressure release device. Self Report? NO Classification: Moderate 30 TAC Chapter 290, SubChapter D 290,43(d)(2) Citation: Failure to provide the pressure tank with an easily readable pressure gauge. Description: Self Report? Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(B) Citation: Description: Failure to provide a well casing 18 inches above the elevation of the finished floor of the pump house or natural ground surface with a minimum of one inch above the sealing block or pump motor foundation block. Failure to provide a well casing 18 inches above the elevation of the finished floor of the pump house or Self Report? Classification: Minor 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(K) Citation: Description: Failure to provide the well with a screened casing vent, which must face downward and be elevated so as to minimize the drawing of contaminants into the well. Self Report? Classification: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(M) Citation: Failure to provide a suitable sampling tap on the well discharge to facilitate the collection Description: of samples for chemical and bacteriological analysis directly from the well. This tap must be installed prior to disinfection, any treatment and a check valve. Classification: Self Report? NO Moderate Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(O) Failure to protect the well unit with an intruder-resistant fence or a locked, ventilated Description: well house to exclude possible contamination or damage to the facilities by trespassers. Self Report? Classification: Minor 30 TAC Chapter 290, SubChapter D 290.44(d)(1) Citation: Description: Failure to design and maintain a water distribution system to provide at all points within the distribution network a minimum pressure of 35 pounds per square inch (psi). Classification: Moderate Self Report? NO Citation: 30 TAC Chapter 290, SubChapter D 290.39(e)(1)[G] Failure to secure the services of a registered professional engineer well versed in the Description: design and construction of public water systems so that "as-built" plans and specifications can be prepared and submitted for our review. Classification: Self Report? NO Moderate Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(3)(A) Failure to submit well completion data on the well for our review and approval. Description: NO Self Report? Classification: Moderate 30 TAC Chapter 290, SubChapter D 290.45(d)(2)(A)(ii) Citation: Description: Failure to meet the minimum pressure tank capacity of 220 gallons. Classification: Self Report? Moderate Citation: 30 TAC Chapter 290, SubChapter F 290.109(c)(1)[G] Failure to develop a system monitoring plan that specifies locations where microbial Description:

contaminants will be monitored.

Date: 08/30/2005

(381136)

Self Report?

30 TAC Chapter 115, SubChapter C 115.246(4)

Citation: Description:

30 Tex. Admin. Code Section 115.246 (4) - Failure to maintain proof of attendance and

completion of training as specified in 115.248 (state approved Stage II training course)

Classification:

Moderate

and documentation of all Stage II training for each employee.

F. Environmental audits.

N/A

Type of environmental management systems (EMSs). G.

Η. Voluntary on-site compliance assessment dates.

Participation in a voluntary pollution reduction program.

N/A

Early compliance. J.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN	§	BEFORE THE
ENFORCEMENT ACTION	§	
CONCERNING	§	TEXAS COMMISSION ON
MOHAMMAD AMIN DBA ZP MART	§	
RN102038924	§	ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2007-0333-PWS-E

I. JURISDICTION AND STIPULATIONS

At its ______ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Mohammad Amin dba ZP Mart ("Mr. Amin") under the authority of TEX. HEALTH & SAFETY CODE ch. 341. The Executive Director of the TCEQ, through the Enforcement Division, and Mr. Amin appear before the Commission and together stipulate that:

- 1. Mr. Amin owns and operates a convenience store with a public water supply at 18374 East Highway 105 in Cleveland, Montgomery County, Texas (the "Facility") that has one service connection and serves approximately 200 people per day for at least 60 days per year.
- 2. The Commission and Mr. Amin agree that the Commission has jurisdiction to enter this Agreed Order, and that Mr. Amin is subject to the Commission's jurisdiction.
- 3. Mr. Amin received notice of the violations alleged in Section II ("Allegations") on or about February 12, 2007.
- 4. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Mr. Amin of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
- 5. An administrative penalty in the amount of Eight Hundred Twenty-Five Dollars (\$825) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Mr. Amin has paid Six Hundred Sixty Dollars (\$660) of the administrative penalty and One Hundred Sixty-Five Dollars (\$165) is deferred contingent upon Mr. Amin's timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Mr. Amin fails to timely and

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- satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Mr. Amin to pay all or part of the deferred penalty.
- 6. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
- 7. The Executive Director of the TCEQ and Mr. Amin have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
- 8. The Executive Director recognizes that Mr. Amin has implemented the following corrective measures at the Facility:
 - a. Submitted weekly disinfection residual data for January and February 2007 on March 1, 2007;
 - b. Submitted photos verifying that a lock was placed on the well house surrounding the well on April 18, 2007; and
 - c. Submitted an up-to-date chemical and microbiological monitoring plan on April 18, 2007.
- 9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Mr. Amin has not complied with one or more of the terms or conditions in this Agreed Order.
- 10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
- 11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

As operator of the Facility, Mr. Amin is alleged to have:

- 1. Failed to monitor the disinfectant residual at representative locations in the distribution system at least once every seven days, in violation of 30 Tex. ADMIN. CODE § 290.110(c)(5)(A), as documented during an investigation conducted on December 6, 2006.
- 2. Failed to protect completed well units with intruder-resistant fences with locked gates or enclosed in locked ventilated well houses, in violation of 30 Tex. ADMIN. CODE § 290.41(c)(3)(O), as documented during an investigation conducted on December 6, 2006.
- 3. Failed to submit water system plans and specifications prepared by a licensed, professional engineer to the Commission for review and approval, in violation of 30 Tex. ADMIN. CODE § 290.39(e)(1), as documented during an investigation conducted on December 6, 2006.

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- 4. Failed to maintain copies of well completion data on file for as long as the well remains in service, in violation of 30 TEX. ADMIN. CODE § 290.46(n)(3), as documented during an investigation conducted on December 6, 2006.
- 5. Failed to develop an up-to-date chemical and microbiological monitoring plan, in violation of 30 Tex. ADMIN. CODE § 290.121(a), as documented during an investigation conducted on December 6, 2006.

III. DENIALS

Mr. Amin generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Mr. Amin pay an administrative penalty as set forth in Section I, Paragraph 5 above. The payment of this administrative penalty and Mr. Amin's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Mohammad Amin dba ZP Mart, Docket No. 2007-0333-PWS-E" to:

Financial Administration Division, Revenues Section Attention: Cashier's Office, MC 214 Texas Commission on Environmental Quality P.O. Box 13088 Austin, Texas 78711-3088

- 2. It is further ordered that Mr. Amin shall undertake the following technical requirements:
 - a. Within 60 days after the effective date of this Agreed Order:
 - i. Acquire and maintain copies of the well completion data for the groundwater well as long as this well remains in service, in accordance with 30 Tex. ADMIN. CODE § 290.46; and
 - ii. Submit Facility as-built plans, specifications, and engineering reports, including notification of Facility start-up to the Commission, in accordance with 30 TEX. ADMIN. CODE § 290.39. The start-up notification, plans, and reports shall be submitted to:

Technical Review and Oversight Team Water Supply Division, MC 155 Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

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b. Within 75 days after the effective date of this Agreed Order, submit written certification as described below, and include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance with Ordering Provision Nos. 2.a.i. through a.ii. The certification shall be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The certification shall be submitted to:

Order Compliance Team Enforcement Division, MC 149A Texas Commission on Environmental Quality P.O. Box 13087 Austin, Texas 78711-3087

with a copy to:

Public Water Supply Section, Manager Houston Regional Office Texas Commission on Environmental Quality 5425 Polk Avenue, Suite H Houston, Texas 77023-1486

- 3. The provisions of this Agreed Order shall apply to and be binding upon Mr. Amin. Mr. Amin is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
- 4. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Mr. Amin shall be made in writing to the Executive Director. Extensions are not effective until Mr. Amin receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
- 5. This Agreed Order, issued by the Commission, shall not be admissible against Mr. Amin in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.

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- 6. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
- 7. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Mr. Amin, or three days after the date on which the Commission mails notice of the Order to Mr. Amin, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

Mo

Mohammad Amin dba ZP Mart

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission	
For the Executive Director	1/29/2008 Date
I, the undersigned, have read and understand the attached Ag attached Agreed Order on behalf of the entity, if any, indicate terms and conditions specified therein. I further acknowledg the penalty amount, is materially relying on such representation	ed below my signature, and I do agree to the
I also understand that my failure to comply with the Ordering failure to timely pay the penalty amount, may result in: A negative impact on my compliance history; Greater scrutiny of any permit applications submitted Referral of this case to the Attorney General's Office penalties, and/or attorney fees, or to a collection agence increased penalties in any future enforcement actions a Automatic referral to the Attorney General's Office of and TCEQ seeking other relief as authorized by law. In addition, any falsification of any compliance documents may	by me; e for contempt, injunctive relief, additional cy; against me; f any future enforcement actions against me;
Signature Name (Printed or typed) Authorized Representative of	Date Title

Instructions: Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

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